

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JOSE BAUTISTA ANDRADE,

Defendant.

Case No. 1:24-CR-2064-SAB-1**CRIMINAL MINUTES****DATE: JUNE 18, 2025****LOCATION: YAKIMA, WA****SENTENCING HEARING**

Chief Judge Stanley A. Bastian			
Michelle Fox Courtroom Deputy	02 Law Clerk	Natalia Rivera Interpreter	Marilynn McMartin Court Reporter
Letitia Sikes Government Counsel		Ben Hernandez Defense Counsel	
United States Probation Officer: Shane Moore – by Audio			

☒ **Open Court**☐ **Chambers**☐ **Telecon**

Defendant present and in custody of U.S. Marshal.

Court confirms with defendant that he can hear and understand with the assistance of the Certified Court Interpreter. Defendant indicates yes he can understand.

Court outlines the case. Defendant pled guilty to Count 3. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report. There is a mandatory minimum of 10 years. 37, I, 210-262 months.

B. Hernandez presents argument on objections. Argue minor role, should be 34.

L. Sikes states it was addressed in the presentence report and probation rejected the objection indicating defendant did not play a minor role.

Court grants motion. Probation and government do point out there is a substantial amount of drugs. Court finds 3B1.2(b) applies for a 2 level reduction. $40 - 3 - 2 = 35$, I, 168-210 months.

B. Hernandez states that it would be a 34 if the minor participant is found under 2D1.1(a)(5).

Court finds: $34 + 2 \text{ gun} - 3 \text{ accept} - 2 \text{ minor} = 31$, I, 108-135 months.**[X] ORDER FORTHCOMING****CONVENED: 10:00 A.M.****ADJOURNED: 10:44 A.M.****TIME: 44 MIN.****CALENDARED [X]**

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L. Sikes presents argument and outlines recommendations. 168 months.

B. Hernandez presents argument and outlines recommendations. 120 months. Recommending Butner and RDAP program. He has been in state custody since February 6, 2024 so requesting to have defendant receive credit for time served as of that date.

Court asks if defendant agrees to all conditions and does he waive the reading of the conditions.

B. Hernandez indicates defendant waives the reading of the conditions.

Court speaks to the defendant.

Defendant speaks to the Court.

Court speaks to the defendant. Court outlines the 3553 factors. Recommend Butner to take advantage of available programming. Recommend the RDAP program.

Imprisonment: 132 months. Credit for time served as of February 6, 2024.

Supervised Release: 5 years. With all the standard conditions and the following special conditions:

1. You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

SPA: \$100.00.

Fine: Waived.

Waiver of right to appeal outlined.

Court has been provided an Order of Forfeiture. B. Hernandez has reviewed, and they do not have an objection. Court will sign the final Order of Forfeiture.

L. Sikes moves to dismiss remaining counts. Court will dismiss counts.